

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

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|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 3:16-05038-CR-RK |
| |) | |
| (7) KELLY C. WALKER, |) | |
| |) | |
| Defendant. |) | |

ORDER ADOPTING MAGISTRATE’S REPORT AND RECOMMENDATION

Before the Court is Defendant Kelly C. Walker’s Motion to Dismiss, or in the Alternative, for Severance (doc. 112), and Motion to Suppress (doc. 110). On June 8, 2017, United States Magistrate Judge David P. Rush held a hearing on Defendant’s Motion to Suppress. On August 15, 2017, Judge Rush issued the Report and Recommendation. (Doc. 160.) Defendant then filed objections to the Report and Recommendation. (Doc. 161.)

Pursuant to Federal Rule of Criminal Procedure 59(b)(3), “[a] district judge must consider de novo any objection to a magistrate judge’s recommendation.” After an independent, de novo review of the record and applicable law, and Defendant’s objections and original motion, the Court adopts the Report and Recommendation of Judge Rush in its entirety.

Accordingly, it is **ORDERED** that:

- (1) Defendant Kelly C. Walker’s Motion to Suppress (doc. 110) is **DENIED**;
- (2) Defendant Kelly C. Walker’s Motion to Dismiss, or in the Alternative, for Severance (doc. 112) is **DENIED as moot**; and
- (3) Magistrate Judge David P. Rush’s Report and Recommendation (doc. 160) shall be attached to and made a part of this Order.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: November 14, 2017